

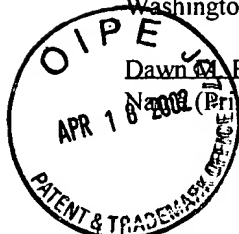
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Gp 1772
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Date: April 18, 2002 Label No. EV122922891US

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4/25/02



Dawn M. Berry

Name (Print)

Dawn M. Berry
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: CHEN et al.

Application No.: 09/630,121

Group Art Unit: 1772

Filed: August 1, 2000

Examiner: W. Watkins III

For: THERMOPLASTIC PLANKS AND METHODS FOR MAKING THE SAME

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**RESPONSE TO RESTRICTION REQUIREMENT/SPECIES
REQUIREMENT**

Assistant Commissioner for Patents
Washington, D.C. 20231

April 18, 2002

Sir:

In response to the Office Action dated March 22, 2002, for which Examiner has set a one-month period for response, thus making the Response due on or before April 22, 2002, Applicants elect with traverse the subject matter of Group III directed to claims 31-33. In addition, Applicants elect with traverse the species identified as 1) a core with direct printing (Groups III and IV). Based on the Preliminary Amendment filed along with this response, claims 7-21 and 37-53 also are part of the elected invention.

Applicants believe that the remaining claims should be examined at this time since it would appear that no serious burden on the part of the Examiner would exist in examining the subject matter in its entirety. In accordance with the M.P.E.P., if no serious burden exists, the Examiner must search all of the pending claims at the same time. Accordingly, the applicant respectively requests that the Examiner examine all of the identified claims at this time; however, to be responsive, the applicant elects with traverse the particular group and species noted above.

At a minimum, it would appear that the subject matter of Groups I and III should be combined since both Groups relate to a thermoplastic plank with a printed design on a printed

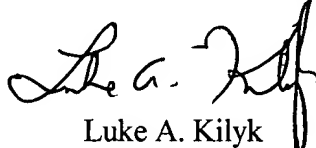
Response to Restriction Requirement
U.S. Patent Application No. 09/630,121

overlay or on top of the thermoplastic plank. Furthermore, it would appear that claim 30 should be combined with Group I since claim 30 relates to a method of making products like those set forth in Group I. Furthermore, it would appear that the subject matter of Group IV should be combined with claims of the subject of Group III since claim 34 relates to a method of making the thermoplastic planks of Group III. Similarly, Group V should be combined with Group VI since claim 36 of Group VI relates to a method of making the core of claim 35. Also, Group VII and Group VIII should be combined since both Groups relate to structurally similar planks.

Finally, Applicants do wish to inform the Examiner that three Information Disclosure Statements have been filed in this Application, the first Information Disclosure Statement was filed November 6, 2000, the second Information Disclosure Statement was filed January 14, 2002, and the third Information Disclosure Statement was filed March 25, 2002.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 50-0925. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to said Deposit Account.

Respectfully submitted,

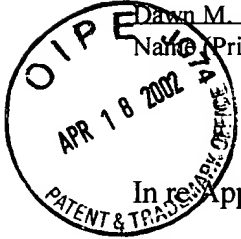


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PRELIMINARY AMENDMENT

The Assistant Commissioner for Patents
Washington, D.C. 20231

April 17, 2001

Sir:

Prior to examination of the above-identified application on the merits, applicants respectfully request that the application be amended as follows:

IN THE CLAIMS:

Please substitute the following amended claims for the pending claims with the same numbers in the above-identified application. (A version of the amended claims with markings to show the changes made is also attached.)

✓
Please cancel claims 1-6 and claims 22-30 without prejudice or disclaimer of the subject matter therein.

7. (Amended) The plank of claim 31, wherein said core is a rigid thermoplastic material.

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8. (Amended) The plank of claim 31, wherein said core comprises at least one thermoplastic material and at least one plasticizer.

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